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PATENT
ATTORNEY DOCKET NO.: 056258-5078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : David John MOODY et al.

U.S. Application No.: 10/512,138

International Appln. Filing Date: April 25, 2003

Date of National Stage Entry: October 22, 2004

For: PROCESS FOR PREPARING
OLIGONUCLEOTIDES

Group Art Unit: Unassigned

Examiner: Unassigned

Commissioner of Patents
MAIL STOP PCT
Alexandria, VA 22314

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed June 2, 2005.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

☐ Applicant(s) hereby assert small entity status.

5. Fee Calculation

| | | | | |
|---|--------------|--------------|----------------|-----------------|
| Basic National Stage Fee: | | | | |
| \$300.00 | | | | |
| | Number Filed | Number Extra | at a Rate of | |
| Total Claims | 13-20 = | 0 | \$50.00 each= | +\$ |
| Independent Claims | 2- 3 = | 0 | \$200.00 each= | +\$ |
| Multiple dependent claim(s), if any | | | \$360.00 | +\$ |
| Missing Requirements Surcharge Fee | | | \$130.00 | \$130.00 |
| Application Size Fee \$250.00 for each additional 50 sheets that exceeds 100 | | | | \$ |
| Application Search Fee | | | \$500.00 | \$ |
| Examination Fee | | | \$200.00 | \$ |
| SUB-TOTAL = | | | | \$130.00 |
| Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d)) | | | \$130.00 | +\$ |
| Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d)) | | | \$130.00 | +\$ |
| TOTAL FILING FEE = | | | | \$130.00 |

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

| | <u>Total Months Requested</u> | <u>Extension Fee</u> | <u>Extension Fee [Small Entity]</u> |
|--------------------------|-------------------------------|----------------------|-------------------------------------|
| <input type="checkbox"/> | One month | \$120.00 | \$60.00 |
| <input type="checkbox"/> | Two months | \$450.00 | \$225.00 |
| <input type="checkbox"/> | Three months | \$1,020.00 | \$510.00 |
| <input type="checkbox"/> | Four months | \$1,590.00 | \$795.00 |
| <input type="checkbox"/> | Five months | \$2,160.00 | \$1,080.00 |

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

| | | |
|-----------------------|-----------------|-----------------|
| The total fee due is: | Completion Fees | <u>\$130.00</u> |
| | Assignment Fees | <u>\$40.00</u> |
| | Total Fee Due | <u>\$170.00</u> |

- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

06/17/2005 SNAJARRO 00000081 500310 10512138

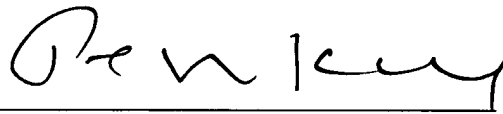
01 FC:1617 130.00 DA

8. Additional papers enclosed.

- ☐ Form PCT/IPEA/409 (English Translation)
- ☐ Preliminary Amendment
- ☐ PCT/IB/338 English translation of the International preliminary Examination Report
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, 14 documents as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Paul N. Kokulis Reg. No. 16,773

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Rec'd PCT/PTO 14 JUN 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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| | | |
|---|---|---------------------------------|
| U.S. APPLICATION NUMBER NO. 10/512,138 | FIRST NAMED APPLICANT David John Moody | ATTY. DOCKET NO. 056258-5078 |
|---|---|---------------------------------|

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|---|
| INTERNATIONAL APPLICATION NO. PCT/GB03/01795 |
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| | |
|-------------------------------|-----------------------------|
| LA. FILING DATE 04/25/2003 | PRIORITY DATE 04/26/2002 |
|-------------------------------|-----------------------------|

9629
MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

CONFIRMATION NO. 6844

371 FORMALITIES LETTER



OC000000016174857

Date Mailed: 06/02/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/22/2004
- Copy of the International Search Report filed on 10/22/2004
- Copy of IPE Report filed on 10/22/2004
- Information Disclosure Statements filed on 10/22/2004
- U.S. Basic National Fees filed on 10/22/2004
- Priority Documents filed on 10/22/2004

Docketed 6/7/05 Attorney PNK
Case 56258-5078
Due Date 8/2/05
Action Missing Fee
By LF Chk BR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

RECEIVED

JUN 03 2005

MORGAN, LEWIS & BOCKIUS LLP

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/512,138 | PCT/GB03/01795 | 056258-5078 |

FORM PCT/DO/EO/905 (371 Formalities Notice)